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of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION OF
RACIAL DISCRIMINATION

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Twelfth periodic reports of States parties due in 1993

Addendum

FINLAND*

[26 March 1995]

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* This report contains in a single document the eleventh and twelfth periodic reports of Finland due on 16 August 1991 and 1993 respectively. For the ninth and tenth periodic reports submitted by the Government of Finland and the summary records of the meetings of the Committee at which the reports were considered, see:

Ninth periodic report - CERD/C/159/Add.1 (CERD/C/SR.866-SR.867)
Tenth periodic report - CERD/C/185/Add.1 (CERD/C/SR.866-SR.867)

The annexes are available for consultation in the files of the Secretariat.

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I. GENERAL

1. This report by Finland on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination is submitted at a time when the situation in Europe and in the world is in many ways different from what it was when the previous report was submitted. In Finland, this is reflected in the demographic composition as a larger number of foreigners. This fact, together with increasing international cooperation in activities against racial discrimination and racism, particularly in the European forums, has served, much more than before, to bring the questions covered by the Convention to the focus of public attention, research and discussion in Finland.

2. The earlier reports by Finland described the measures taken to give effect to the Convention; this was carried out by a decree following a debate in Parliament on the ratification of the Convention. No legislative changes have been introduced since the previous report. The most important reforms under way, which relate to the Constitution Act and the Penal Code, are discussed in the present report.

3. A study for the Conference on Security and Cooperation in Europe (CSCE) on the position of national minorities was commissioned some years ago by the Advisory Board for International Human Rights Affairs established by the Finnish Government (Kristian Myntti, "The Protection of Persons Belonging to National Minorities in Finland", third revised edition, 1993). The study also addresses the position of the Swedish-speaking population. It has been transmitted to the Committee on the Elimination of Racial Discrimination as background material.

Minorities in the general framework of reporting on the implementation of human rights treaties

4. As regards reporting on the implementation of the Convention, an important step was taken in the preparation of the Finnish reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. These extensive reports, submitted in 1992 and 1994, covered issues relating to minorities. This new approach is designed to encourage interaction between different ways of looking at the questions involved. This approach itself is part of the implementation of the Convention as foreseen in article 7 and elsewhere.

5. The reports by Finland on women's rights and children's rights have helped to make visible women and children in minorities and to draw attention to problems concerning their position. The relevant parts of the reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and on the implementation of the Convention on the Rights of the Child are appended as annex 1. In an attempt to prevent racism and racial discrimination such steps are unarguably important for the attainment of the objectives of the International Convention on the Elimination of All Forms of Racial Discrimination. It is intended that both gender aspect and age aspect will be addressed in future reports by Finland on the implementation of human rights treaties.

6. Finland is active in advancing the goals of the Convention through international cooperation both in the United Nations and in such forums as the Council of Europe, UNESCO and ILO. In the new situation Finland is able to benefit from the experience and the networks available between countries and international organizations. In Vienna in October 1993, the summit of the Council of Europe adopted a Declaration and Plan of Action on Combating Racism, Xenophobia, Anti-Semitism and Intolerance, which was signed by the President of Finland on 8 October 1993.

7. The Finnish Government is willing to enter into an open and constructive communication with the Committee, whose expertise and comments can help Finland in its efforts to improve the implementation of the Convention. Finland made a declaration under article 14 (1) of the Convention on 16 November 1994; the remedy of making petitions to the Committee has since that date been available to individuals.

8. The Finnish Government participates in the international cooperation which, both within the United Nations system and in the Council of Europe, aims at creating new and more effective approaches to prevent developments leading to racism, racial discrimination and xenophobia. These problems have also been a central subject of analysis in scientific research in Finland, something which has helped to outline the extent and complexity of the problem in Finnish society.

9. As part of the preparation of this report, a public hearing on the Convention was held in January 1992. Invited participants included not only representatives from non-governmental organizations (NGOs) of minorities and foreigners but also representatives of authorities and advisory boards, researchers and activists. The report was also discussed by the Advisory Board for International Human Rights Affairs functioning in connection with the Ministry for Foreign Affairs.

10. In the past few years, Finnish NGOs have increasingly focused on the theme of tolerance. A sign of increased activity is that a section of the Minority Rights Group now operates in Finland.

11. On the Government side, the most important step was the establishment of a new, broad-based organ: the Advisory Board for Refugee and Migrant Affairs. Another important factor contributing to positive development was the fact that 1993 was named International Year of the World's Indigenous People; the attention devoted in Europe to Romanies in the framework of the CSCE and the Council of Europe; the work by UNESCO to promote education for international understanding and human rights; and, in June 1993, the World Conference on Human Rights which brought together the entire spectrum of bodies and organizations.

Development of administrative structures

12. The most significant administrative change in recent years was the foundation of a new Advisory Board for Refugee and Migrant Affairs, operable from 1 February 1992. It replaced the Advisory Boards for Migration, in existence since 1970, and for Refugee Affairs, which had operated since 1981. The new Board works in connection with the Ministry of Labour. It is chaired

by the highest-ranking civil servant in the Ministry of Social Affairs and Health; the vice-chairpersons are the respective officials from the Ministry of the Interior, which is responsible for aliens affairs, and from the Ministry of Labour.

13. The Advisory Board for Refugee and Migrant Affairs is charged with the tasks of monitoring the position of foreigners and protecting their rights, promoting cooperation between foreigners, authorities and organizations, informing foreigners of legislation and advising them on legal rights.

14. In 1992, to strengthen the organization of the Ministry of Social Affairs and Health, a specific office for refugee affairs was set up, designed to contribute to the implementation of the Convention by making a strong input in information.

15. The status of the Advisory Board for Romany Affairs was reinforced through a decree which entered into force on 1 January 1990 (see annex 2). The decree specifies the duties of the Advisory Board and defines more clearly its connection with the Ministry of Social Affairs and Health. The main duty of the Advisory Board is to improve living conditions for the Romany population. At the time of the structural reinforcement the name of the Advisory Board was changed from Gypsy Affairs to Romany Affairs - a step which reflects the importance of language in eliminating discriminatory practices.

16. An important aspect of the development of administrative structures was the foundation of a unit for the education and culture of the Romany population in 1992. This unit, called the Romany Educational and Cultural Unit, is part of the National Board of General Education. One of its duties is to publish a newsletter (for more details, see annex 3).

17. The administrative structures relating to the position of the Saami people have in recent years been discussed partly as a question relating to the division of labour in the administrative system and partly as a means of increasing the autonomy of decision-making by this indigenous population. It is intended that responsibility for Saami affairs be passed to the Ministry of Justice from the Ministry of the Interior, which now has the main responsibility and which administers Saami affairs in the context of regional policy. This shift of responsibility is an effort to reinforce the implementation of the human rights of Saami people, and thereby a step in the full implementation of the Convention.

18. As described in previous reports, Saami matters are administered by two bodies: the Advisory Board for Saami Affairs, a body for cooperation between the administration and the Saamis, and the Saami Delegation, which is elected by the Saamis themselves.

19. The Advisory Board is chaired by the Governor of the Province of Lapland and has five members, with alternates, each of whom represents a different Ministry (Interior, Education, Agriculture and Forestry, Labour, and Environment) and 10 members appointed by the Saami Delegation. Of the members of the Advisory Board, one representative of both the authorities and the Saamis is a woman; of the alternate members, two representatives of the authorities and one Saami representative are women.

20. Of the 20 members appointed to the Saami Delegation for the term of office 1 January 1992 to 31 December 1995, 20 per cent are women.

Statistics on population

21. In the official population statistics on Finnish citizens no statistics on minorities as such are compiled. The following estimates were made on the basis of statistics on languages and, for the Saami population, of statistics related to the election of the members of the Saami Delegation.

22. The number of Saamis in Finland is estimated at 5,700 persons (some estimates put the figure at 6,400), of whom 3,900 live in the northernmost part of the country: 1,100 in the municipality of Utsjoki, 2,100 in Inari and 400 in Enontekiö. In one of the municipalities, Utsjoki, the Saamis are a majority of the population. Some 1,400 Saamis live in other parts of the country. In addition, 400 Finnish Saamis live outside Finland. The 1990 census showed some 1,700 persons who spoke Saami as a mother tongue.

23. It is estimated that Finland has a Romany population of some 6,000. In addition, 3,000 Finnish-speaking Romanies are thought to live in Sweden. The estimated total number of Romanies in the Nordic countries is 15,000 to 20,000 persons, the largest group living in Finland.

24. Finland has for a long time had a small minority of Jews, who have emigrated mainly from Russia. They number 1,400. The Tatar population, who came originally from the Crimea, is about 900 people. Finland has traditionally had a small minority of Russian speakers. In recent years this group has grown considerably.

25. While the Swedish-speaking population is not covered in this report, it may be added that they account for 6 per cent of the population, or 294,000 persons of whom 23,000 live in the self-governing district of Åland which has a small Finnish-speaking minority comprising 1,100 persons.

Statistics on foreigners

26. In principle, statistics on foreigners, compiled by nationality, are accurate. However, the disintegration of the Soviet Union has led to problems of classification and interpretation. Appended are statistics on the population resident in Finland on 1 January 1994, classified by continent, population, nationality, sex and province of residence (annex 4). As the statistics show, on 1 January 1994 some 56,000 foreign citizens were living in Finland: 25,800 women and 29,800 men. The breakdown by continent is as follows:

		Women	Men
Europe (excluding citizens of the former Soviet Union; including citizens of the Baltic countries)	23 773	10 470	13 030
Africa	5 244	1 534	3 710
North America	2 206	1 001	3 710
Latin America	607	309	298
Asia + Australia	8 198	3 645	4 883
CIS	13 648	8 131	5 517
Stateless	469	213	256
Citizenship unknown	1 080	455	625

27. Taking into account that as late as 1987 there were only some 17,000 foreigners in Finland, nearly half of whom were Finnish repatriates from Sweden, North America and Australia, the fact that their number has more than tripled in a short time is a significant change in the overall demographic situation of the country. At the end of 1992, the figure stood at 46,250, which means that an increase of 10,000 within a single year was recorded.

28. At present, the largest group of foreigners are those arriving from the former Soviet Union, totalling more than 13,000 persons, of whom 10,000 are of Finnish ethnic origin - Ingrians. Other larger groups are Swedish citizens, who are mainly Finnish repatriates (6,600); Estonians (5,900); Somalis (2,900); Vietnamese (1,400); United States citizens (mostly repatriates, 1,800); Chinese citizens (1,100); and Turkish citizens.

II. INFORMATION RELATING TO ARTICLES 2 TO 7 OF THE CONVENTION

Article 2

29. In March 1992 the Advisory Board for Refugee and Migrant Affairs adopted a programme of action against racism and xenophobia which was connected with its report on the principles of Finland's policy on refugees and migrants (committee report 1994:5). With the title "Towards a Tolerant Finland", this programme contains a large number of proposals for measures to be taken by authorities and non-governmental organizations against racism and xenophobia in Finland.

30. The proposed measures address such questions as the revision of legislation and organization of work, the monitoring of racism and discrimination and the compilation of statistics on these phenomena, the diversification of school curricula, the creation of rules to regulate journalistic practice concerning information on minorities, the role of NGOs, and changes in the content of cultural services offered by municipalities so

as to make use of the opportunities for interaction provided by tolerance and multiculturalism. A key recommendation in the report is that resources be allocated to the work envisaged in the programme of action.

31. While the State committee has been preparing the proposals now adopted, Finnish authorities and NGOs have been planning their contribution to another programme of action: the programme against racism to be carried out within the framework of the Council of Europe. The programme relies both on the work of active NGOs, in particular youth organizations, and the cooperation between authorities, NGOs, researchers and policy makers which is to take place in the European Commission against Racism and Intolerance. It is hoped that Finnish participation in these activities will promote the re-evaluation and intensification of measures. At the same time, this work will give fresh impetus to activities required by article 2 of the Convention.

Article 3

32. Through both political statements made with other Nordic countries and through voluntary sanctions in force from 1985 to 1987, Finland participated in efforts of the international community to end racial discrimination in South Africa. Following positive developments the sanctions were abolished gradually by May 1993. Humanitarian aid to the African National Congress was discontinued when the ANC became a political party in the Republic of South Africa.

33. Finland continues to support the democratization of South Africa. A new form of support is that given for the preparation of further democratization, training and education for elections, for example.

34. Finland has also given support for the democratization of southern Africa in other States of the area. In Africa, as elsewhere, Finland has been especially active in supporting its traditional partners in their way to democracy.

35. Finland earlier maintained diplomatic relations with the Republic of South Africa on the legation level, but on 6 May 1991 the relations were raised to the embassy level.

Article 4

36. With respect to legislation in force, reference is made to the previous reports.

37. The Government of Finland has submitted to Parliament two proposals with important policy implications for the development of legislation referred to in this article. The proposals are part of two extensive bills, one relating to the revision of the provisions on fundamental rights as contained in the Constitution Act and the other to the reform of the Penal Code, which were both put before Parliament in 1993 and are being debated. The reform of the Penal Code is discussed in the following chapter; the revision of the provisions on fundamental rights is described hereunder.

Proposal for the reform of the Penal Code

38. In 1993 the Government submitted to Parliament a proposal (HE 94/93) which was part of an overall reform of the Penal Code and which contained provisions relating to discrimination and to incitement to discrimination against a population group. The present law, or chapter 13, article 5, of the Penal Code from 1975, states:

> "Anyone who spreads to the general public statements or other information which contains threats, malicious falsehood or slander directed against a population group which is of a particular race or a particular national or ethnic origin or has a particular religion, shall be sentenced for incitement to the discrimination of a population group to pay a fine or to imprisonment for a maximum term of two years."

As amended in chapter 11, article 8, this provision would be as follows:

> "Incitement against a population group.
>
> "If a person spreads to the general public statements or other information which contains threats, malicious falsehood or slander directed against a national, racial, ethnic or religious group or a comparable group, in order to cause violence, hostility or discrimination against that group, and if the act is likely to produce the said consequences, he or she shall be sentenced for incitement against a population group to pay a fine or to imprisonment for a maximum term of one year."

39. The motivation for the amendment is that the tightened provisions would exclude from its scope of application "any statements which are, for example, jocular, thoughtless, or emotional and which need not be taken seriously".

40. As regards the reduction of the maximum punishment from two years to a year, the proposal states that during the present law punishment for incitement has been given only in two or three cases, and in each case the punishment was a fine.

41. Parliament continues its discussion of the revision. The Advisory Board for Human Rights Affairs has made critical comments on the proposal.

Article 5

42. As regards legislation in force, reference is made to the previous reports.

43. Parliament is debating a number of important legislative changes to bring legislation in line with contemporary needs and to harmonize it with the obligations Finland has under human rights treaties. In the context of racial discrimination, the most central reform is a review of the provisions on fundamental rights contained in the Constitution Act. A bill to this effect was submitted to Parliament in December 1993 (HE 309/93) and is now being debated.

44. The bill proposes that a principle be incorporated in the Constitution Act which unequivocally guarantees that, as a rule, the rights enshrined in human rights treaties apply to all persons residing within the jurisdiction of Finland whether or not they are Finnish citizens. This important clarification on a constitutional level would be the foundation of all legislation and of the development of administrative practice.

45. As revised in the bill, article 5 of the Constitution Act would state as follows:

> "Persons shall be equal before the law.
>
> "No one shall be placed in a different position with respect to others on the basis of sex, age, origin, language, religion, conviction, opinion, health, disability or other reason relating to person. Children shall be treated equally as individuals. The equality of sexes in activities in society and in working life, especially as regards the conditions of employment, shall be guaranteed by law."

46. The proposed text of article 9 reads:

> "Everyone shall have the freedom of religion and conscience. The freedom of religion and conscience shall include the right to profess and practise a religion, the right to express a conviction, and the right to be or not to be a member of a religious community. No one shall be obliged to participate in the exercise of religion contrary to their conscience."

47. The bill also contains a provision on equality regarding languages and on cultural rights which is of central importance to minorities (art. 9):

> "Finland's national languages are Finnish and Swedish.
>
> "Everyone's right to use their own language, Finnish or Swedish, before courts of justice and other authorities, and to have records of proceedings in that language shall be guaranteed by law. Public authority shall ensure that the cultural and societal needs of the Finnish and Swedish speaking populations are on an equal footing.
>
> "The Saamis as an indigenous people as well as the Romanies and other groups have a right to maintain and develop their own language and culture. The right of the Saamis to use the Saami language before the authorities shall be provided for in law."

48. As, in addition, article 16 a of the bill contains a provision stating that it is the duty of public authority to ensure implementation of fundamental rights and human rights, it can be said that the above changes would in crucial ways improve the safety nets in Finnish society to achieve equality for all people and to lay a foundation for work against racism and racial discrimination.

49. As part of a reform of the Penal Code it is proposed that chapter 12, article 6, on discrimination practised in trade or business, services, discharge of official duties, public entertainment or public meetings be extended. It now applies to discrimination on the basis of race and national or ethnic origin; in future it would also apply to discrimination on the basis of colour, language, gender, age, family relations, sexual orientation, health, views on society, political or professional activity or for comparable reason. The new provision, chapter 11, article 9, would retain the earlier scale of punishment: a fine or a maximum sentence of imprisonment of six months. Parliament is still debating these amendments.

50. Crime statistics show that it is very seldom that charges are brought in offences of discrimination (chap. 13, art. 6 of the Penal Code) and even more seldom in offences relating to incitement to discrimination against a population group (chap. 1, art. 5 of the Penal Code). Appended are statistics showing that for offences of discrimination the figures seem to have started to increase since 1989 (annex 5). Representatives of minority groups refer to a number of obstacles, some practical and others associated with attitudes, which make it difficult or impossible for a person who has suffered discrimination to rely for the elimination of discrimination on criminal charges brought by an individual.

The Saami people

51. On 5 November 1992 Finland signed the European Charter for Regional or Minority Languages of the Council of Europe. It was ratified on 9 November 1994.

52. The following is in reply to the questions posed by the Committee regarding the tenth report by Finland, and is based on information provided by the Ministries of Justice, Education and the Interior.

53. A person is defined as a Saami on the basis of self-identification and Saami origin. The more detailed provisions can be found in the Act on the Use of the Saami Language before the Authorities of 1990.

54. The most important legislative changes are the Act on the Right to Use the Saami Language before the Authorities, which entered into force on 1 January 1992, and an amendment to the Parliament Act which came into force on 1 November 1991. The latter introduces a new principle in guaranteeing the Saamis the right to be heard in their own language in parliamentary proceedings, especially in cases concerning them. The purpose of the Act is to guarantee this right. The underlying thinking is that Saamis should be guaranteed linguistic rights as far as possible following the same principles that under the 1922 Languages Act apply to the use of Finland's national languages, Finnish and Swedish. The practical implications of the Act essentially depend on the resources for interpretation and translation. The Saami Delegation has expressed the opinion that as yet not enough resources have been provided for these purposes.

55. The proposal to amend the Constitution Act, described earlier, would establish cultural autonomy for the Saamis and extend constitutional protection to the right to use the Saami language, and would thereby also strengthen the foundation for the practical implementation of the rights.

56. While there have been some Saami candidates for Parliament, no Saami MPs have been elected. In local administration, Saamis are employed mainly in the Province of Lapland. To increase the opportunities for Saamis to exercise their influence in Lapland, the Saami Delegation has the right to appoint one member to the Provincial Advisory Board.

57. The 1991 amendment to the Parliament Act guarantees the Saamis the right to be heard, especially on questions concerning them. However, at the time when this right was guaranteed on the legislative level, a major reorganization was under way to delegate decision-making powers in matters relating to the division of competence and resources from central authorities to the local level, i.e. to the municipalities where, with one exception, the Saamis are in a small minority.

58. The Finnish Government is aware of the problems that may arise in the practical implementation of the Convention, especially concerning the rights of small minorities, as a result of these decentralization measures, unless a sufficient consolidation of the human rights culture among local authorities and political decision makers can be achieved. This poses new challenges for the education and information activities referred to in article 7, especially to local decision makers and authorities, to whom these responsibilities have been delegated.

59. Legislation on reindeer husbandry and other means of livelihood traditionally part of the Saami culture was revised in 1990. As a result, reindeer owners' associations were granted greater decision-making powers in matters relating to reindeer husbandry within the Area for Reindeer Husbandry. It should be remembered, however, that in Finland reindeer husbandry is not an exclusive right of the Saamis.

60. Another act with relevance to the traditional Saami way of life is the Wilderness Act of 1991. It is designed to preserve the wild nature of 12 wilderness areas to be designated in the Province of Lapland, to safeguard the Saami culture and natural means of livelihood, and to further diversified uses of nature.

61. As yet Finland has not become party to ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, mainly because land ownership and land use in the Saami domicile area may require new legislation.

62. The Advisory Board for Saami Affairs has proposed that the issue of land ownership be settled by introducing a type of collective land ownership. The present legislation and practice by authorities is based on the thinking that the main part of land in the Saami domicile area is considered the property of the State. The situation has led to divisions between the needs of reindeer husbandry and those of competing forms of land use, such as logging.

63. A new cause of concern for the Saamis is the interest in the bedrock in the Saami domicile areas shown by foreign and multinational companies after the conclusion of the Treaty on the European Economic Area.

64. Since the previous report, considerable changes have taken place in the position and teaching of the Saami language which aim at increasing the opportunities for Saamis to be taught in their own language. Since 1991 it has been possible to set up school districts for Saami speakers. This reform is thought to require a considerable increase in resources and has been a negative development in some cases.

65. After an amendment in 1991 to the Comprehensive School Act, schools in the Saami domicile area have been able to use Saami as a language of instruction. Outside the domicile area Saami can be taught as a foreign language with the resources provided under legislation. The respective legislative changes have also been made regarding upper secondary school. In practice, however, the establishment of classes has been prevented by a lack of teachers, materials and teaching hours. In teaching, the position of the Saami language as a mother tongue remains parallel to that of the Finnish language: as a mother tongue, Saami may be taught together with Finnish but not alone. In matriculation (school-leaving) examinations, a person who has studied Saami as a mother tongue may take the examination in the Saami language.

66. Possibilities to study Saami as a foreign language have been increased, thereby giving Finnish-speaking pupils a better opportunity to study Saami.

67. In lower-level comprehensive schools a total of 152 pupils studied Saami as a mother tongue in 1990/91; in 1992/93 the figure was 128. The respective figures for the pupils studying Saami as an optional subject were 171 and 142. In upper-level comprehensive schools in the same periods 95 and 135 pupils studied Saami. For upper-secondary schools the figures were 41 and 52. In adult education in the past few years - both in Lapland and other parts of Finland - some 50 to 80 students have studied the Saami language and culture. Since 1993 the University of Helsinki has offered a course in Saami language and culture.

68. The National Board of General Education has pursued the efforts cited in the tenth report to develop syllabuses. In 1991 pedagogical instructions were finalized for Saami language teaching and tuition in Saami.

69. The International Year of the World's Indigenous People 1993 focused attention on the position and culture of the Saamis as part of the activities to increase awareness of indigenous peoples. A committee set up to prepare for the Year recorded a host of events to celebrate indigenous peoples. Representatives of the Saami people attended international meetings organized to highlight the theme, the special plenary session of the United Nations General Assembly, and the World Conference on Human Rights. The committee gave a final report in spring 1994, making a number of proposals to improve the position of the Saamis.

The Romany people

70. In 1989 the Council of State strengthened the administrative framework for dealing with questions relating to the position of the Romanies by adopting a decision whereby the Advisory Board for Romany Affairs, operating in connection with the Ministry of Social Affairs and Health, was made a permanent organ with the tasks of monitoring the living conditions of Romanies, making any proposals it deems necessary, and developing a minority policy in its special field (see paras. 15-16 above).

71. Concerning the education of the Romany population, the Ministry of Education has stated that the objective is to achieve equality with the majority population. The Advisory Board for Romany Affairs has drawn attention to the fact that the Romany language does not feature in the curricula but is treated rather like an extracurricular activity and is taught outside official school hours. The Ministry of Education states that Romany language classes have been started in several areas on an experimental basis. Some 30 teachers of Romany language and culture have been trained, and there is an intention to train more. The teachers give lessons in schools and work as consultants and intermediaries between the Romanies and the majority population.

72. Romany children have 2 lessons of Romany language a week in some 10 areas. Romany language is also taught in adult education classes which are part of employment services and in courses provided by civic institutes. In 1992 the National Board of General Education confirmed the criteria for the teaching of the Romany language. An active participation of the Romany population has made it possible to establish a plan for language teaching and to put the plan into effect. Teaching is, however, hampered by a lack of teaching materials.

73. To raise the low standard of basic education of the adult Romany population, a small appropriation has been made in the State budget for classes in reading, writing and arithmetic in civic and workers institutes and in prisons. In recent years adult education has expanded to new fields, such as the training of classroom teaching assistants and tuition in working life skills, social welfare, information and the arts. Progress has been made in the production of teaching materials. A Romany-Finnish-English dictionary was published in 1994.

74. A considerable number of Romany children still leave comprehensive school without completing it, and of those who do, very few pursue further studies. As a result, Romanies have difficulty in entering the labour market.

75. In 1989, a booklet on the opportunities of Romany children in Finland and Sweden was published jointly by the two countries. A 1991 report by the Working Group for Day Care established by the Ministry of Social Affairs and Health (Romanilapsen maailma, "The world of a Romany child") gives important background information, drawing attention to the linguistic and cultural needs of Romany children in day care.

76. In the summer of 1991 an international summer school was organized in Finland where participants from Finland and other countries were taught such subjects as the Romany and Hindi languages and the history and culture of the Romany people. In the summer of 1992 the parallel activities by NGOs during the 1992 Helsinki CSCE meeting included an international seminar on the position of the Romany people. Romany representatives on the Advisory Board for Romany Affairs have attended a number of international meetings. Every year Finland and Sweden have a wide-ranging meeting on cooperation, attended by representatives of authorities and the Romany people.

77. Research, information, and education and training projects are envisaged or have been carried out on both the local and regional levels. The Romany population has made an active contribution to these projects.

78. The Advisory Board has drawn attention to the fact that since the early 1970s, no overall investigation has been made into the living conditions of the Romany population. This lack of thorough basic research makes it difficult to intervene in serious problems. The latest survey, from 1985, showed that 20 per cent of the Romanies lived in very poor housing conditions or had no housing, while in the entire population the proportion of those with inadequate housing was 13.5 per cent. Although some municipalities have taken steps to improve the living conditions of Romanies, the Advisory Board believes that, in the country as a whole, the housing conditions of Romanies are at the 1985 level.

79. Romanies continue to face difficulties in finding work, despite the prohibition against discrimination in employment included in the law in 1987. The customs important to the group identity of the Romanies receive little understanding; not even the authorities take them into consideration every time they make decisions. Educational standards which are lower than those for the rest of the population make it difficult for Romanies to get employment.

80. A recent limited survey on racial prejudice revealed negative attitudes towards the Romanies among schoolchildren. Attention has been focused on inadequate education in schools about minorities, Romanies in particular. A need for education about racial discrimination and minorities on a broader basis and in different subjects has become obvious.

81. Relying on the experiences of the Romanies, the Advisory Board for Romany Affairs has criticized the high threshold of legal proceedings undertaken by individuals in discrimination cases. As the Board has noted, very few instances of discrimination have led to court cases, and of those that have, the court has not ruled on aspects constituting incitement to discrimination but rather on access by Romanies to restaurants.

82. On 23 September 1994 the Government submitted a bill to Parliament on amendments to a number of laws on education. This bill contains provisions both to safeguard the right of immigrant children to receive education preparing them for the comprehensive school and to strengthen the right of Saami-speaking children and children with a foreign language as a mother tongue to learn their own language at school.

83. On 28 September 1994, the Government submitted a bill to Parliament for a new, more comprehensive Skolt Act to replace the earlier Act, which mainly focuses on support for housing. The purpose of the new Act is to promote the preservation of the Skolt culture through support for their communities and ways of life. The Act contains provisions to reinforce the position of the traditional village meetings, Skolt councils, and Skolt ways of taking care of various matters.

Article 6

84. Very few cases have been heard in court in which criminal charges have been brought under articles in the Penal Code on incitement against a population group (chap. 13, art. 5) and on discrimination (chap. 13, art. 6). Charges of discrimination, however, seem to be on the increase. Statistics for 1977 to 1991 are appended (annex 5).

85. In his reports the Ombudsperson for Aliens refers to cases of suspected discrimination which he helped to clarify. Especially for foreigners, but also for Finnish minorities, the threshold of legal action in cases of discrimination is relatively high.

86. In recent years acts of xenophobia have increased. Violence has been used to desecrate cemeteries. Jews have received threats. Finnish police authorities believe, however, that these are isolated instances. This is evident, for example, from the reply of the Ministry of the Interior to an inquiry made from the floor in Parliament. The Ministry said that both the Ministry and the police authorities responsible to it continuously monitor national and international developments relating to unrest directed against aliens. The reply further stated that it was not very likely that racial unrest would spread to Finland. It said that acts of violence and vandalism against aliens in Finland were sporadic and unorganized, committed by groups under the influence of alcohol or acting on a sudden impulse. According to the reply, these acts were committed out of envy of refugees' conditions, jealousy, or for similar minor reasons.

87. In its report in the spring of 1994, the Advisory Board for Refugee and Migrant Affairs proposed the monitoring and compilation of statistics on racist and xenophobic activities, for example by the Criminological Research Institute operating in conjunction with the Ministry of Justice.

88. The idea of establishing the post of an Ombudsperson against Ethnic Discrimination, modelled on the Swedish example, has been discussed in Finland. A suggestion to this effect has been made by the Advisory Board for Romany Affairs and others. As yet the discussion has not led to concrete proposals. Authorities to whom victims of discrimination can turn to seek help include the Parliamentary Ombudsperson and the Ombudsperson for Aliens.

89. Concerning legal cases, see annex 6.

Article 7

Education and teaching

90. The Office for Refugee Affairs in the Ministry of Social Affairs and Health now publishes an annual catalogue of publications about refugees and foreigners. This index is of use to teachers in schools and in adult education. There has been a considerable increase in materials in recent years; not only authorities but several NGOs and the Lutheran Church have produced material. Racial discrimination has been a subject of discussion in many seminars for professionals and events for the general public and the media.

91. Human rights education and education for international understanding, for which the approach of mainstreaming is used in the Finnish school system, are in the new situation increasingly important in addressing and preventing problems of racism and racial discrimination, xenophobia and intolerance. The work is based on the input of active teachers and materials produced by NGOs and others. The approach used in promoting education relating to international understanding, human rights and the environment is to emphasize that in encountering what is different or unfamiliar, multiculturalism should be seen as an asset and that positive attitudes should be adopted.

92. An important step in informing the population about the rights of migrant children was taken with the appearance in 1992 of a manual on the education of migrant children. A new edition came out in 1994. The manual also has wider uses as an information package for encountering different cultures.

93. The International Year of the World's Indigenous People, 1993 brought the subject to teaching and education. The activities organized as part of the celebrations of the Year undoubtedly provided teachers with new impulses. An information sheet was published for teachers by the Finnish United Nations Association which focused on the World Conference on Human Rights, including the problems of indigenous peoples and minorities.

94. Finland's reports on the implementation of human rights treaties have been published in Finnish and circulated widely, in part to give teachers and other professionals basic material for use in human rights education. The fact that minorities and foreigners are made visible in these reports, which are meant for general distribution, promotes open discussion of problems and education for tolerance.

95. In adopting the first periodic report on the implementation of the Convention on the Rights of the Child in the spring of 1994, the Government of Finland made a statement in which it stressed that information and discussion of the rights of the child needed to be increased, and to promote such activities the Government would appropriate funds for human rights education and information. A focal point for these activities in 1995, proclaimed by the United Nations and the Council of Europe as the Year for Tolerance, will be work against racism, xenophobia, anti-semitism and intolerance.

Culture

96. Culture has played a central role in the work to improve the position of the Saamis and Romanies in particular, as well as the position of foreigners. Some of the strategies utilized by official bodies and NGOs are to draw attention to the enriching aspects of differences between people and cultures and to offer experiences of immediate contact to remove prejudice. A proof of the benefits of this approach is the foundation of the Romany Educational and Cultural Development Unit.

97. A proposal for cultural autonomy made by the Working Group for Saami Affairs in its report in February 1994 may constitute an important cultural development for the Saami population.

98. The Ministry of Education has since 1992 appropriated funds for the support of Saami culture and other minority cultures. Since 1994 separate appropriations have been made for Saami culture and for other minority cultures.

99. In Finland the campaign for tolerance initiated by the Council of Europe is intended to be a collaboration also involving artists. The growing use of the arts and provision of emotional experiences in teaching and education mark a positive development which reinforces the use of factual materials emphasizing multicultural values.

100. It is increasingly felt that the integration of the cultural dimension to education for international understanding and human rights education is a central issue. This is reflected in the activities of such bodies as the Finnish UNESCO Committee and the Ministry for Foreign Affairs. As a contribution to this type of international cooperation, Finland hosted in May 1993 a conference on the relationship between human rights and cultural policies. The conference, which was organized in cooperation with the Council of Europe, Circle and Rights and Humanity, unambiguously stressed the kind of cultural activities that are required to fulfil the purposes of the Convention.

Information

101. In recent years there has been a considerable increase in information to support the objectives of the Convention. A major reason is the active contribution of the Information Unit established in the Ministry of Social Affairs and Health a few years ago. For the first time in 1991 the funds made available for information exceeded 1 million Finnish marks. In 1993, they amounted to 1.5 million marks; in addition, another 1 million marks were used for campaigning. In the 1994 budget a separate appropriation of half a million was made for education for tolerance.

102. The information activities by the Unit include publication of a newsletter ("Monitori") and of a variety of other materials as well as an annual compendium of available materials.

103. The Ministry of Social Affairs and Health has produced a brochure for "A Foreign Woman in Finland" (2nd edition in 1993 in Finnish, English, Estonian and Russian), which gives practical information for foreign women and Finnish authorities.

104. In 1993 the National Board of General Education printed a booklet on Romanies and health-care services ("Romani ja terveyspalvelut - opas terveydenhuollon ammattilaisille") for health-care professionals. The Ministry of Social Affairs and Health produced a brochure ("Finland's Romani People - E Rhoma and i Finlandia") in Finnish and English. The Romany Educational and Cultural Development Unit has since 1984 published a newsletter called "Latso Diives".

105. The International Year of the World's Indigenous People increased information about the Saamis, and a growing number of people are displaying a positive interest in the Saami culture. The Nordic Council of Ministers gives financial support to the information activities.

106. NGOs and the Lutheran Church increasingly publish material for education for tolerance and understanding cultural and other differences.